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International Convention for the Protection of All Persons from Enforced Disappearance

Report of the Secretary-General

Summary

In its resolution 70/160, the General Assembly requested the Secretary-General to submit, at its seventy-first and seventy-second sessions, a report on the status of the International Convention for the Protection of All Persons from Enforced Disappearance and the implementation of the resolution. The present report is submitted in accordance with that request.

In a note verbale dated 28 March 2017, the Secretary-General invited Governments to transmit any information pertaining to the implementation of resolution 70/160. Replies were received from the Governments of Cuba, Ecuador, Hungary, Mexico, Montenegro, Romania, Slovenia, Sweden, Switzerland, Togo and Uzbekistan. Their responses are summarized in the present report.

The present report also includes information on the activities carried out in relation to the implementation of the resolution by the Secretary-General, the United Nations High Commissioner for Human Rights and his Office, the Committee on Enforced Disappearances, the Working Group on Enforced or Involuntary Disappearances and intergovernmental and non-governmental organizations.

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I. Introduction

1. In its resolution 70/160, the General Assembly requested the Secretary-General to submit, at its seventy-first and seventy-second sessions, a report on the status of the International Convention for the Protection of All Persons from Enforced Disappearance and the implementation of the resolution. The present report is submitted in accordance with that request. The previous report is available in document A/71/278.

2. On 28 March 2017, the Secretary-General invited Member States to transmit relevant information pertaining to the implementation of the resolution. As at 1 July 2017, replies had been received from the Governments of Cuba, Denmark, Ecuador, Hungary, Mexico, Montenegro, Romania, Slovenia, Sweden, Switzerland, Togo and Uzbekistan. The Secretary-General also sent requests for information on the implementation of the resolution to specialized agencies, funds and programmes of the United Nations system and civil society organizations. Submissions were received from Amnesty International, the Asian Federation against Involuntary Disappearances, Geneva for Human Rights — Global Training, the International Coalition against Enforced Disappearances, Redress Trust (REDRESS) and TRIAL International. Their responses are summarized herein.

II. Status of ratification of the Convention

3. As at 1 July 2017, 96 States had signed and 56 had ratified or acceded to the Convention; 22 States had recognized the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of individuals subject to its jurisdiction claiming to be victims of a violation by the State party of provisions of the Convention (art. 31); and 23 States had recognized the competence of the Committee to receive and consider communications in which a State party claimed that another State party was not fulfilling its obligations under the Convention (art. 32). Updated information on the status of ratification of the Convention may be found in the annex to the present report.

III. Replies received from States

4. Summaries of the replies of States relating to the implementation of resolution 70/160 are provided below.

Cuba

5. Cuba actively participated in the negotiations that led to the adoption of the Convention and was among the first countries to sign, on 6 February 2007. It has been a State party since 2 February 2009. It continually evaluates the possibility of accepting the procedures in articles 31 and 32 of the Convention, which Cuba observes are optional. Cuba has not requested or received any assistance from the Secretary-General, the United Nations High Commissioner for Human Rights or any organ of the United Nations, any intergovernmental or non-governmental organization or the Working Group on Enforced or Involuntary Disappearances in relation to enforced disappearances or any aspect of the application of the Convention, given that such assistance has not been necessary since the revolution of 1959. Cuba indicates that, through its internal and external policies, it puts into practice respect for the physical and moral integrity of the individual, which allows it to ensure that there have been no cases of disappearances, torture or secret detention, with the exception of the illegally occupied naval base of the United

States of America in Guantanamo. Cuba notes that its legal system not only establishes the basic universally recognized legal guarantees relating to human rights, but also offers specific guarantees for the real and effective exercise of all human, civil and political and economic, social and cultural rights. Cuba defended its first report to the Committee in March 2017. During the constructive dialogue with the Committee, the Cuban efforts and achievements regarding human rights were recognized. Cuba reiterated its willingness to maintain a constructive and respectful dialogue with the organs of the human rights treaties to which it was party. It reaffirmed its commitment to continue to work on and provide follow-up to the recommendations received, insofar as they corresponded to the reality and needs of the country.

Denmark

6. Denmark will ratify the Convention when the amendments to Danish law that are necessary to meet the obligations stemming from the Convention have been adopted and Parliament has given its consent to ratification. Denmark will also consider the possibility of recognizing the competence of the Committee under articles 31 and 32 of the Convention after having completed a study on the legal implications of doing so. Denmark has not requested or received assistance from the Secretary-General, the High Commissioner, United Nations agencies and organizations or the Working Group.

Ecuador

7. Ecuador ratified the Convention on 20 October 2009 and it entered into force on 23 December 2010. Ecuador complied with the international obligations deriving from the Convention by submitting its report in June 2015 and defending it in March 2017. Ecuador has recognized the competence of the Committee to receive and consider communications.

Hungary

8. Hungary has expressed its willingness to ratify the Convention on several occasions. Interministerial consultations, including the necessary review of national legislation, are ongoing in order to adopt the Hungarian text of the Convention and proceed to the promulgation of a law to implement the Convention in due course.

Mexico

9. Mexico ratified the Convention in 2008. After consultations with various competent authorities, the Ministry for Foreign Affairs has concluded that the recognition of the competence of the Committee to receive individual communications under article 31 of the Convention could mean a duplication of the work of regional and international bodies for the protection of human rights. Given that Mexico recognizes the jurisdiction of regional human rights bodies, including the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, to receive individual communications relating to, among other things, the commission of the crime of enforced disappearance, Mexico deals with cases of disappearances before those mechanisms.

10. Mexico notes that there are both governmental and independent mechanisms in the country to address complaints and petitions relating to human rights violations. In October 2016, a special prosecutor's office dedicated to enforced disappearances, whose primary aim is to locate victims, was established within the Office of the Attorney General. To this end it uses the most advanced technology to implement a protocol approved for the search for missing persons and investigation of the crime

of enforced disappearance, which harmonizes the criteria in relation to searching for persons with international and national standards and recommendations. In addition, the country's human rights institutions at both the federal and state levels that are aware of alleged cases of disappearances investigate the facts and, if appropriate, issue recommendations in that regard. In particular, an investigative unit of the National Human Rights Commission has the authority to receive and investigate complaints relating to persons whose whereabouts are unknown and whose disappearance allegedly involves the participation of any authority or public servant, with the aim of determining the location of the allegedly disappeared person.

11. At the international level, Mexico has accepted the jurisdiction of the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights — within the Inter-American human rights system — as well as of the United Nations Human Rights Committee, thus ensuring that judicial and quasi-judicial mechanisms at both the regional and international levels can respond to complaints concerning alleged violations of human rights.

12. The Government of Mexico has not carried out internal consultations on recognizing the competence of the Committee to receive inter-State complaints under the framework of article 32. The Ministry of Foreign Affairs has, however, undertaken a process of analysis and reflection. It has concluded that Mexico is opposed, in principle, to recognizing the competence of the organs of the nine major human rights treaties of the United Nations to receive inter-State complaints, given that these complaints tend to be politicized. Nevertheless, the will of Mexico to ensure compliance with the Convention and to combat disappearance is expressed in its recognition of the jurisdiction of the International Court of Justice, the judicial organ of the United Nations, to settle international conflicts between States. It is expected that, with respect to any breach of the Convention by a third State, the case may be brought before that international tribunal, meaning that it is currently unnecessary for Mexico to recognize the competence of the Committee.

Montenegro

13. Montenegro ratified the Convention on 20 October 2011 and recognized the competence of the Committee to receive individual communications and inter-State complaints.

14. In compliance with article 29 of the Convention, Montenegro submitted its report to the Committee in 2013 and replied to the list of issues adopted by the Committee. The constructive dialogue between Montenegro and the Committee was held in September 2015, following which the Committee issued its concluding observations. In November 2016, Montenegro submitted follow-up information on the recommendations highlighted by the Committee. During the first session of the Conference of the States Parties to the Convention, Montenegro supported the continuation of the Committee as the monitoring body of the Convention.

15. In February 2017, Montenegro replied to the questionnaire by the Working Group on a study on enforced disappearances in the context of migration.

Romania

16. Romania signed the Convention on 3 December 2008. Romania reports that its new Criminal Code includes, in its article 439, enforced disappearance as a crime against humanity when perpetrated with the aim of placing a person outside the protection of the law for a long time, by abduction, arrest or detention, at the order of a State or a political organization or with the authorization, support or acquiescence of the State, followed by a refusal to admit that the person has been

deprived of liberty or to provide real information about the fate or whereabouts of the disappeared person, thus placing the person outside the protection of the law. The applicable penalty is life imprisonment or imprisonment of between 15 and 25 years and the suspension of the exercise of certain rights.

Slovenia

17. Slovenia is a signatory to the Convention and continues to strive for its ratification. The Ministry of Justice is preparing an analysis of the Convention, with a view to re-examining and identifying open questions regarding its ratification. Under the existing Slovenian legal framework, the conditions for the ratification of the Convention are not yet met. The Ministry will, therefore, also prepare proposals for establishing a legal basis to enable ratification. The provisions of articles 31 and 32 of the Convention will be discussed and reviewed in the context of the above-mentioned analysis. After the analysis, an assessment will be made of whether it is necessary to strengthen the dialogue with the Office of the United Nations High Commissioner for Human Rights (OHCHR) on practical aspects of the implementation of the Convention within the scope of paragraphs 5 and 6 of resolution 70/160.

Sweden

18. Sweden signed the Convention in 2007. Before it can ratify the Convention, an analysis of possible legislative amendments is required. It is the view of Sweden, however, that its legislation essentially meets the requirements of the Convention. Sweden has neither requested nor received assistance to become party to the Convention or in the understanding and implementation of the obligations under the Convention.

Switzerland

19. Switzerland ratified the Convention on 2 December 2016 and recognized the competence of the Committee to receive individual and inter-State communications, as it would not be possible to promote respect for human rights without effective monitoring mechanisms.

20. The implementation of the Convention at the national level required legislative changes, including the creation of the crime of enforced disappearance as a separate crime in the Criminal Code. In addition, a coordination network has been put in place between the different levels of the State (the Confederation and the cantons) in order to determine as soon as possible, in the case of an alleged enforced disappearance, whether the person concerned is subject to deprivation of liberty in Switzerland and, if that is the case, the whereabouts of the person. The implementing legislation entered into force at the same time as the Convention (1 January 2017).

21. Switzerland has not requested or received any assistance from the Secretary-General, the High Commissioner or any organ of the United Nations, any intergovernmental or non-governmental organization or the Working Group to become party to the Convention and implement it.

Togo

22. Togo signed the Convention on 27 October 2010 and ratified it on 21 July 2014. Togo takes measures to raise awareness of the Convention among the various actors. For this reason, Togo deems it still too premature to decide on recognizing the competence of the Committee to receive individual or inter-State communications. Togo has not benefited from technical assistance for the

ratification of the Convention and has not requested any assistance from civil society organizations or the national human rights institution for the implementation of the Convention.

Uzbekistan

23. Uzbekistan reports that accession to the Convention is considered premature by the relevant authorities, owing to the lack of the term "enforced disappearance" in national law and of its recognition as an offence with the corresponding criminal liability. Uzbekistan notes, however, that some of its laws and regulations enshrine important provisions aimed at the implementation of the resolution and already criminalize and punish several acts, including abduction (art. 137 of the Criminal Code), unlawful deprivation of liberty (art. 138), trafficking in persons (art. 135), improper exercise of authority (art. 206) and unlawful detention or remand in custody (art. 234).

24. Uzbekistan has neither requested nor received any assistance from the Secretary-General or the High Commissioner in preparation for accession to or ratification of the Convention. While it has not received technical assistance from any United Nations agencies or organizations to promote understanding and implementation of the Convention, Uzbekistan highlights that it is included in the law and human rights programmes of Tashkent State University of Law, the Academy of the Ministry of Internal Affairs and the Centre for Further Training of Jurists.

IV. Activities of the Secretary-General and the High Commissioner

25. In paragraph 5 of its resolution 70/160, the General Assembly requested the Secretary-General and the High Commissioner to increase their intensive efforts to assist States in becoming parties to the Convention, with a view to achieving universal adherence.

26. The Convention has been highlighted at all treaty-related events organized by the United Nations in New York since 2007, so as to promote accession or ratification and implementation. The Convention is also part of the treaty event for 2017.

27. The Secretary-General delivered a message on 30 August 2016 on the occasion of the International Day of the Victims of Enforced Disappearances. He noted that all States had an obligation to investigate, prosecute and punish enforced disappearances, as well as to provide redress to its victims. He called upon States to acknowledge that family members and friends of the disappeared were also victims and to guarantee their right to full protection from any form of reprisals. He urged all Member States to ratify or accede to the Convention without delay and called upon the States parties to the Convention to fully implement it.

28. In February 2017, the Secretary-General delivered a message at the high-level plenary meeting of the General Assembly devoted to the commemoration of the tenth anniversary of the adoption of the Convention. He noted the importance of having a contemporary legal instrument to monitor, investigate and prevent enforced disappearances. Yet, despite its clear merits, the Convention had not attracted the number of ratifications that it deserved. He stressed that, with its membership of 56 States parties at that time, the Convention was deprived of the broad-based support that it required to meet its objectives and the hopes and expectations of the families who had fought so hard for its adoption. He urged all Governments to

reaffirm their commitment to the bedrock principle of human dignity: that no one should be subjected to enforced disappearance or held in secret detention.

29. OHCHR has continued to pursue its efforts to combat enforced disappearances and to achieve universal ratification of the Convention under the thematic priorities of "violence and insecurity" and "support for human rights mechanisms", as set out in the Office management plan for 2014-2017. Efforts have been focused on supporting States' action to ratify the Convention, providing training and capacity-building to States and civil society and raising awareness about the Convention.

30. In May 2017, presenting the OHCHR annual report for 2016, the High Commissioner referred to the 2030 Agenda for Sustainable Development, which, he said, provided new impetus for advancing human rights and protecting civil society space, with its target on ensuring public access to information and protection of fundamental freedoms. He noted that States' progress in achieving that target would be evaluated in part by the number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates.

31. On 19 December 2016, the High Commissioner opened the first session of the Conference of the States Parties to the Convention, convened in Geneva to implement article 27 of the Convention on the confirmation of the Committee as the monitoring body of the Convention. In his statement, he stressed that enforced disappearance remained a serious human rights challenge of concern to all. He noted that provisions on investigations, non-refoulement and extradition, secret detention, urgent action and inquiries meant that the Convention continued to be an innovative and versatile tool to prohibit, prevent and combat enforced disappearance. He called for its universal ratification and effective implementation.

32. On the occasion of the above-mentioned high-level plenary meeting, the High Commissioner set the bold objective of doubling the number of ratifications of the Convention within five years. His call was promptly taken up publicly by the Ministers for Foreign Affairs of Argentina and France. A trans-regional declaration supporting ratification was circulated among Member States, and signed by 49 of them, during the thirty-fourth session of the Human Rights Council.

33. In November 2016, OHCHR participated in a conference on the application of the Convention organized by the Office of the Prosecutor General of Lithuania, held in Vilnius. Judges, prosecutors, officials from various ministries, lawyers and representatives of non-governmental organizations attended.

34. OHCHR in Honduras provided technical assistance to the Government in respect of the review of the State party's report to the Committee held in March 2017.

35. OHCHR in Mexico continued to actively participate in the process of adoption of a general law on disappearance that is in line with international human rights standards. The law was approved by the Senate and is pending discussion in the Chamber of Deputies.

36. In addition, OHCHR in Mexico worked with non-governmental organizations and family members of disappeared persons to raise awareness of the international mechanisms available to them, in particular those through the Committee, including the urgent action procedure. It works together with the authorities to ensure that the urgent actions are an effective tool in the search for disappeared persons.

37. Furthermore, OHCHR in Mexico, in collaboration with the International Committee of the Red Cross, participated in the development of a law on the search for and recovery and identification of human remains in Coahuila.

38. OHCHR in Mexico supported the efforts of the federal police and Executive Commission for Victim Support to communicate to family members the stages of the identification processes of victims with a view to facilitating dialogue between victims and the authorities. OHCHR also participated in meetings between victims and the federal authorities in the States of Coahuila, Guerrero, Jalisco, San Luis Potosí, Tamaulipas and Veracruz.

39. In addition, OHCHR in Mexico provided technical assistance for the establishment of a specialized unit on disappearances, which became operational in July 2017, within the Office of the Attorney General of the State of Jalisco. It organized a capacity-building programme for the staff of the unit, which covered several subjects, including a specific session on international and regional human rights standards in relation to disappearances.

40. Furthermore, OHCHR in Mexico has continued to work on the case of the disappearance of 43 students in Ayotzinapa, Guerrero, which occurred in 2014. In January 2017, OHCHR provided training on enforced disappearances and torture to the judges working on the case. In March, OHCHR issued a press release regarding the internal investigation in which it expressed regret that the irregularities that had surfaced had not been properly addressed by internal oversight mechanisms.

41. In Ecuador, the Human Rights Adviser facilitated the participation of civil society organizations in the review of the State party's report to the Committee.

42. In Sri Lanka, OHCHR continued to advocate and advise on the integration of the provisions of the Convention into national legislation.

43. The OHCHR Regional Office for Central America, together with the Inter-American Institute of Human Rights, organized a forum in June 2017 on challenges and scope with regard to the protection of all persons against enforced disappearance, which provided training and advice to the States of the region so that they could fulfil their obligations under the Convention.

44. The United Nations Voluntary Fund for Victims of Torture continued to award grants to non-governmental entities providing assistance to families of victims of enforced disappearance and/or documenting cases of enforced disappearance, in line with the provisions of the Convention. In Peru, for example, the Fund supports three projects aimed at providing legal and/or psychological assistance. In Mexico, the Fund continues to support two projects aimed at providing legal aid. In Argentina, another project continues to be supported by the Fund with the aim of providing psychological, social and legal services, including DNA tests.

45. The Secretary-General and the High Commissioner both made references to allegations of enforced disappearances in reports, statements, press releases and press briefings relating to States parties and non-States parties to the Convention, demonstrating that the crime of enforced disappearance continues to occur and the importance of achieving universal ratification of the Convention.

46. In October 2016, in his report on the implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region, the Secretary-General noted that international humanitarian and human rights violations, including enforced disappearances, had been reported across the region (S/2016/840, para. 13).

47. In December 2016, the Secretary-General, in his report on the United Nations Support Mission in Libya, stated that he remained deeply alarmed by the human rights situation in the country. He noted that, during the reporting period, violations of international human rights and humanitarian law, including enforced

disappearances, had continued to be perpetrated by all groups, mostly with impunity (S/2016/1011, paras. 33 and 80).

48. Also in December 2016, the Secretary-General, in his report on the situation in Mali, referred to the cases documented by the United Nations Multidimensional Integrated Stabilization Mission in Mali, including a case of enforced disappearance (S/2016/1137, para. 35).

49. In February 2017, on the occasion of the signature of the agreement on activities between the Government of Mexico and OHCHR in Mexico, the High Commissioner expressed the commitment of OHCHR to supporting more efforts to tackle impunity and ensure accountability in line with the recommendations that Mexico had received from international and regional human rights mechanisms, including legislation and policies on disappearances and torture. He also expressed commitment to the resolution of emblematic cases, such as the disappearance of the 43 students from Ayotzinapa. He reiterated his unflinching support for the victims and their families and readiness to support all efforts, so as to ensure that the facts were established and justice was done.

50. In March 2017, at the thirty-fourth session of the Human Rights Council, in a statement during a high-level panel discussion on the situation of human rights in the Syrian Arab Republic, the High Commissioner voiced his concern that countless people had suffered arbitrary detention, torture, kidnap and enforced disappearance in the Syrian Arab Republic and that OHCHR and the Independent International Commission of Inquiry on the Syrian Arab Republic had been refused access to the country.

51. In April 2017, the High Commissioner referred to reports indicating a major increase in the number of cases of enforced disappearance in Burundi between November 2016 and March 2017, as well as the discovery of dozens of unidentified bodies in various parts of the country during that time.

52. In May 2017, the High Commissioner referred to the lack of resources from which the disappearance and truth and reconciliation commissions in Nepal had suffered since the country's peace agreement had been reached more than 10 years previously. He expressed his concern about the country's failure to address impunity and to accomplish its obligations under international human rights law.

V. Activities of the Committee

53. In accordance with article 27 of the Convention, the first session of the Conference of the States Parties to the Convention was convened at the United Nations Office at Geneva on 19 December 2016. The Conference held one meeting, during which it examined the functioning of the Committee and recognized that it efficiently monitored the implementation of the Convention (see CED/CSP/SR.1). The Conference adopted by consensus the decision that the Committee would continue to monitor the Convention in accordance with the functions defined in articles 28 to 36 of the Convention (see CED/CSP/2016/4).

54. The Committee took several steps to promote the ratification and implementation of the Convention and maintained its dialogue with the Working Group and other relevant mechanisms and stakeholders. More information is available in document A/72/56.

55. In all his public statements, the Chair of the Committee continued to promote the ratification of the Convention and to stress that ratification should be followed by its incorporation into the national legal order and its implementation. He also

continued to invite States parties that had not done so to accept the competence of the Committee under articles 31 and 32 of the Convention.

56. On the occasion of International Day of the Victims of Enforced Disappearances (30 August 2016), the Committee and the Working Group issued a press release in which they expressed their concern at allegations of intimidation and reprisals against victims of enforced disappearance and those who reported their cases. They called upon States worldwide to prevent and eradicate enforced disappearances, including short-term enforced disappearances, and to ensure that relatives of persons deprived of their liberty were informed accurately and promptly of their detention. They also reiterated their call upon all States to ratify or accede to the Convention as a fundamental first step towards the prevention, and the ultimate termination, of the inadmissible practice of enforced disappearances.

57. On 5 October 2016, the Committee held its fifth annual meeting with the Working Group, through a videoconference with the Chair of the Working Group. The members of the two bodies identified common areas of concern, including the increasing number of so-called short-term enforced disappearances, non-State actors and attacks and reprisals against human rights defenders.

58. The Committee met Member States at public meetings on 7 October 2016 and 9 March 2017. It invited States parties to the Convention that had not yet submitted their reports and States that had neither signed nor ratified the Convention to do so and encouraged all States to accept the Committee's competence under articles 31 and 32. In addition, the Chair updated States on the work of the Committee.

59. On 7 October 2016, the Committee held a public meeting with a representative of the Global Alliance of National Human Rights Institutions, who underlined the importance of the close cooperation between the Committee and national human rights institutions and the common priorities of the universal ratification of the Convention and States parties' compliance with their reporting obligations under article 29 (1).

60. On 7 October 2016 and 9 March 2017, the Committee also met representatives of non-governmental organizations and victims' associations to discuss general matters relating to the promotion and implementation of the Convention. The Committee welcomed the support of non-governmental organizations in encouraging States to ratify the Convention and underlined the importance of close cooperation in raising awareness.

61. On 17 February 2017, the Chair and a Vice-Chair of the Committee participated in the above-mentioned high-level plenary meeting of the General Assembly dedicated to the commemoration of the tenth anniversary of the adoption of the Convention.

62. The Committee, through its secretariat, continued to send reminders to States parties whose reports were overdue to encourage their prompt submission, bringing to their attention the guidelines on the form and content of reports under article 29 (1) to be submitted by States parties to the Convention (CED/C/2).

VI. Activities of the Working Group

63. In September 2016, in its report to the Human Rights Council, the Working Group reiterated its calls upon States that had not signed and/or ratified the Convention to do so as soon as possible and to accept the competence of the Committee to receive individual cases under article 31 and inter-State complaints under article 32 of the Convention (A/HRC/33/51, para. 121). The Working Group

takes every opportunity to promote the ratification of the Convention, including during visits to States and bilateral meetings held with their representatives.

64. On 20 December 2016, the Working Group issued a press release in which it commended the States parties to the Convention on their decision to extend the mandate of the Committee.

65. On 17 February 2017, the Vice-Chair of the Working Group participated in the above-mentioned high-level plenary meeting, calling upon States parties to provide in good faith their firm support for the Convention and for the work of the Committee.

66. The Chair-Rapporteur of the Working Group met, via teleconference, the Committee during the Committee's eleventh session, in October 2016, to exchange information on the activities by the two bodies working on the issue of enforced disappearance, including the Working Group's study on enforced disappearances and migration. At the meeting, the members highlighted the need to continue to make their coordination of activities more effective. They also exchanged information on past and forthcoming activities, including country visits, thematic issues and the review of States parties, and agreed on continuous cooperation to coordinate their agendas.

VII. Activities of United Nations agencies and organizations and intergovernmental and non-governmental organizations

67. A number of intergovernmental and non-governmental organizations have undertaken efforts at the national, regional and global levels to disseminate information on the Convention, promote understanding of it, prepare for its entry into force and assist States parties in implementing their obligations under the instrument.

68. Regarding civil society, Amnesty International, in the briefings provided to the Human Rights Committee for the reviews of Pakistan and Thailand, recommended that the countries should, respectively, accede to and ratify the Convention and, for the review of Morocco, recommended that the country should accept the competence of the Committee regarding individual and inter-State complaints. In the briefing provided to the Committee against Torture for the review of Ireland, Amnesty International recommended that the country should ratify the Convention.

69. Amnesty International also made recommendations during the universal periodic review. During the twenty-sixth session of the Working Group on the Universal Periodic Review, it recommended that Haiti, Iceland, the Republic of Moldova, South Sudan, the Syrian Arab Republic, Timor-Leste, Uganda, Venezuela (Bolivarian Republic of) and Zimbabwe should ratify or accede to, without reservations, the Convention and accept the competence of the Committee under articles 31 and 32; it further recommended that Togo should accept the competence of the Committee under those articles. During the twenty-seventh session, Amnesty International recommended that Algeria, Bahrain, Finland, India, Indonesia, the Philippines, Poland, South Africa and the United Kingdom of Great Britain and Northern Ireland should ratify or accede to, without reservations, the Convention and accept the competence of the Committee under articles 31 and 32; it further recommended that Brazil and Morocco should accept the competence of the Committee. During the twenty-eighth session, Amnesty International recommended that Guatemala and Pakistan should ratify, without reservations, the Convention and accept the competence of the Committee under articles 31 and 32; it further

recommended that Peru should accept the competence of the Committee under article 32.

70. The Asian Federation against Involuntary Disappearances is a federation of 14 organizations working directly on the issue of enforced disappearance in 10 South and South-East Asian countries. Representatives of the Federation have actively lobbied at the national, regional and international levels for the ratification of the Convention in Asia and the recognition of the competence of the Committee. The Federation contributed to the universal periodic review of India, Indonesia and the Philippines and advocated the ratification of the Convention by those countries. Representatives of the Federation organized public demonstrations and participated in conferences, seminars and public events to promote understanding of the Convention. The Federation released statements on the occasion of the International Day of the Victims of Enforced Disappearances in 2016 and International Week of the Disappeared in May 2017 in which it reiterated its call for the ratification of the Convention. The Federation regularly provides substantive information on cases of enforced disappearance to the Committee and the Working Group.

71. Geneva for Human Rights — Global Training is an organization devoted to human rights. It actively lobbied for the confirmation of the Committee as the monitoring body of the Convention during the first session of the Conference of the States Parties to the Convention. Geneva for Human Rights circulated a memorandum noting the achievements of the Committee among non-governmental organizations and through social media. Together with the International Service for Human Rights, it organized a preparatory meeting for the Conference for non-governmental organizations. The organization also coordinated a joint statement by eight international non-governmental organizations and read out statements from national non-governmental organizations, including the Asociación Madres de Plaza de Mayo. On 15 March 2017, it organized a workshop as a platform for reflection on ways to strengthen the prevention of and protection from enforced disappearance. Among other issues, the need to strengthen the non-governmental organization network working on enforced disappearances and support for the universal ratification of the Convention were discussed.

72. The International Coalition against Enforced Disappearances, which comprises 56 non-governmental organizations, has been globally promoting its mandate to lobby actively for the universal ratification and implementation of the Convention, recognition of the competence of the Committee under articles 31 and 32 and the enactment of national laws that criminalize enforced disappearance. Representatives of the Coalition organized and participated in public events, seminars and conferences promoting the Convention to a wide range of audiences, from Governments to civil society and other stakeholders. The Coalition contributed to the universal periodic review of India, Indonesia and the Philippines and advocated the ratification of the Convention by those countries. In its contribution, the Coalition analysed some possible causes of the slow pace of ratification of the Convention. The Coalition released statements on the occasion of the International Day of the Victims of Enforced Disappearances in 2016 and the International Week of the Disappeared in May 2017 in which it called for the universal ratification of the Convention.

73. REDRESS represents numerous victims of enforced disappearance in litigation against a range of countries in various forums, including the Human Rights Committee and African Commission on Human and Peoples' Rights. It consistently refers to the Convention in litigation, in submissions regarding implementation, in alternative reports submitted to monitoring mechanisms and in training to civil society. REDRESS engaged with the Human Rights Committee and the Government of Nepal regarding cases of enforced disappearances that occurred during the

conflict in that country. Representatives also contributed to the ongoing development of guidelines on enforced disappearances in Africa, which seek to apply the Convention's provisions to the African context.

74. TRIAL International, a member of the International Coalition against Enforced Disappearances, carried out several activities to disseminate information on the Convention, promote its understanding, assist States parties in implementing their obligations under that instrument and encourage other States to become parties to the Convention and to recognize the competence of the Committee.

75. Throughout 2016 and 2017, TRIAL International has been submitting follow-up reports on the status of implementation of the recommendations contained in the views of the Human Rights Committee on cases of enforced disappearances in Nepal that had been previously lodged by TRIAL International. Between 2016 and 2017, the Human Rights Committee issued its views on communications against Nepal and against Bosnia and Herzegovina, all concerning cases of enforced disappearance lodged by TRIAL International. In all communications lodged before the Human Rights Committee by TRIAL International, reference is made to the Convention as the highest standard in international human rights law on the subject of enforced disappearance.

76. In February 2017, TRIAL International, the Fundación para la Justicia y el Estado Democrático de Derecho and a coalition of associations of relatives of disappeared persons from Central America submitted a report to the Committee on Enforced Disappearances on the implementation of the concluding observations on Mexico issued by the Committee in February 2015.

77. TRIAL International organized several training sessions for lawyers and human rights activists in Bosnia and Herzegovina, Burundi, the Democratic Republic of the Congo and Nepal, during which the Convention and the mandate and functioning of the Committee were thoroughly analysed. Representatives also published articles to promote the understanding of the Convention and participated in a series of conferences and seminars on the subject.

VIII. Conclusion

78. **The Secretary-General strongly encourages all States that are not yet parties to the Convention to take the measures necessary to do so and to accept the competence of the Committee under articles 31 and 32 of the Convention. The Secretary-General and the High Commissioner will continue their intensive efforts to assist States in becoming parties to the Convention and in ensuring its full implementation.**

Annex

States that have signed, ratified or acceded to the Convention for the Protection of All Persons from Enforced Disappearance as at 1 July 2017

State	*Date of signature*	*Date of accession or ratification*
Albania[a]	6 February 2007	8 November 2007
Algeria[a]	6 February 2007	
Angola	24 September 2014	
Argentina[a]	6 February 2007	14 December 2007
Armenia	10 April 2007	24 January 2011
Austria[a]	6 February 2007	7 June 2012
Azerbaijan	6 February 2007	
Belgium[a]	6 February 2007	2 June 2011
Belize		14 August 2015[b]
Benin	19 March 2010	
Bolivia (Plurinational State of)	6 February 2007	17 December 2008
Bosnia and Herzegovina[a]	6 February 2007	30 March 2012
Brazil	6 February 2007	29 November 2010
Bulgaria	24 September 2008	
Burkina Faso	6 February 2007	3 December 2009
Burundi	6 February 2007	
Cabo Verde	6 February 2007	
Cambodia		27 June 2013[b]
Cameroon	6 February 2007	
Central African Republic[b]		11 October 2016
Chad	6 February 2007	
Chile[a]	6 February 2007	8 December 2009
Colombia	27 September 2007	11 July 2012
Comoros	6 February 2007	
Congo	6 February 2007	
Costa Rica	6 February 2007	16 February 2012
Croatia	6 February 2007	
Czechia[a]	19 July 2016	8 February 2017

State	*Date of signature*	*Date of accession or ratification*
Cuba[a]	6 February 2007	2 February 2009
Cyprus	6 February 2007	
Denmark	25 September 2007	
Ecuador[a]	24 May 2007	20 October 2009
Finland	6 February 2007	
France[a]	6 February 2007	23 September 2008
Gabon	25 September 2007	19 January 2011
Germany[a]	26 September 2007	24 September 2009
Ghana	6 February 2007	
Greece	1 October 2008	9 July 2015
Grenada	6 February 2007	
Guatemala	6 February 2007	
Guinea-Bissau	24 September 2013	
Haiti	6 February 2007	
Honduras	6 February 2007	1 April 2008
Iceland	1 October 2008	
India	6 February 2007	
Indonesia	27 September 2010	
Iraq		23 November 2010[b]
Ireland	29 March 2007	
Italy	3 July 2007	8 October 2015
Japan[a]	6 February 2007	23 July 2009
Kazakhstan		27 February 2009[b]
Kenya	6 February 2007	
Lao People's Democratic Republic	29 September 2008	
Lebanon	6 February 2007	
Lesotho	22 September 2010	6 December 2013
Liechtenstein	1 October 2007	
Lithuania[a]	6 February 2007	14 August 2013
Luxembourg	6 February 2007	
Madagascar	6 February 2007	

State	*Date of signature*	*Date of accession or ratification*
Maldives	6 February 2007	
Mali[a]	6 February 2007	1 July 2009
Malta	6 February 2007	27 March 2015
Mauritania	27 September 2011	3 October 2012
Mexico	6 February 2007	18 March 2008
Monaco	6 February 2007	
Mongolia	6 February 2007	12 February 2015
Montenegro[a]	6 February 2007	20 September 2011
Morocco	6 February 2007	14 May 2013
Mozambique	24 December 2008	
Netherlands[a]	29 April 2008	23 March 2011
Niger	6 February 2007	24 July 2015
Nigeria		27 July 2009[b]
Norway	21 December 2007	
Palau	20 September 2011	
Panama	25 September 2007	24 June 2011
Paraguay	6 February 2007	3 August 2010
Peru		26 September 2012
Poland	25 June 2013	
Portugal[a]	6 February 2007	27 January 2014
Republic of Moldova	6 February 2007	
Romania	3 December 2008	
Samoa	6 February 2007	27 November 2012
Senegal	6 February 2007	11 December 2008
Serbia[a]	6 February 2007	18 May 2011
Seychelles[b]		18 January 2017
Sierra Leone	6 February 2007	
Slovakia	26 September 2007	15 December 2014
Slovenia	26 September 2007	
Spain[a]	27 September 2007	24 September 2009
Sri Lanka[a]	10 December 2015	25 May 2016

State	*Date of signature*	*Date of accession or ratification*
Saint Vincent and the Grenadines	29 March 2010	
Swaziland	25 September 2007	
Sweden	6 February 2007	
Switzerland[a]	19 January 2011	2 December 2016
Thailand	9 January 2012	
The former Yugoslav Republic of Macedonia	6 February 2007	
Togo	27 October 2010	21 July 2014
Tunisia	6 February 2007	29 June 2011
Uganda	6 February 2007	
Ukraine[a]		12 August 2015[b]
United Republic of Tanzania	29 September 2008	
Uruguay[a]	6 February 2007	4 March 2009
Vanuatu	6 February 2007	
Venezuela (Bolivarian Republic of)[a]	21 October 2008	
Zambia	27 September 2010	4 April 2011

[a] States that have made declarations recognizing the competence of the Committee under articles 31 and/or 32 of the Convention. The full text of the declarations and reservations made by States parties is available from http://treaties.un.org.

[b] Accession.